

I. NEEL CHATTERJEE (STATE BAR NO. 173985)
nchatterjee@orrick.com
MONTE M.F. COOPER (STATE BAR NO. 196746)
mcooper@orrick.com
THERESA A. SUTTON (STATE BAR NO. 211857)
tsutton@orrick.com
MORVARID METANAT (STATE BAR NO. 268228)
mmetanat@orrick.com
ORRICK, HERRINGTON & SUTCLIFFE LLP
1000 Marsh Road
Menlo Park, CA 94025
Telephone: 650-614-7400
Facsimile: 650-614-7401

Attorneys for Plaintiff
FACEBOOK, INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

FACEBOOK, INC.,

Plaintiffs,

v.

POWER VENTURES, INC. a Cayman Island
Corporation,; STEVE VACHANI, an
individual; DOE 1, d/b/a POWER.COM,
DOES 2-25, inclusive,

Defendants.

Case No. 5:08-cv-05780 JW

**DECLARATION OF MORVARID
METANAT IN SUPPORT OF
FACEBOOK INC.'S MOTION FOR
ADMINISTRATIVE RELIEF TO
FILE UNDER SEAL, PURSUANT TO
CIVIL LOCAL RULE 79-5(B), THE
DECLARATIONS OF RYAN
MCGEEHAN AND JOSEPH
CUTLER, AND PORTIONS OF
FACEBOOK'S CORRECTED
MOTION FOR PARTIAL SUMMARY
JUDGMENT**

Dept: Courtroom 9, 19th Floor
Judge: Hon. James Ware

1 I, Morvarid Metanat, declare:

2 1. I am an attorney with the law firm of Orrick, Herrington & Sutcliffe LLP and
3 counsel for Plaintiff Facebook, Inc., I make this declaration in support of Facebook's
4 Administrative Motion, pursuant to Civil Local Rule 79-5(b), to file under seal portions of
5 Facebook's Corrected Motion for Partial Summary Judgment on Count 1 of the CAN-SPAM Act.
6 I make this Declaration based on facts made known to me, unless otherwise stated.

7 2. This Corrected Motion references portions of the Declarations of Ryan McGeehan
8 and Joseph Cutler in Support of Facebook's Motion for Partial Summary Judgment on Count 1 of
9 the CAN-SPAM Act, which have been designated as "HIGHLY CONFIDENTIAL-
10 ATTORNEYS' EYES ONLY" pursuant to the parties' November 4, 2011 protective order (Dkt.
11 No. 95).

12 3. On November 14, 2011, Facebook requested to be sealed portions of the
13 Declarations of Ryan McGeehan and Joseph Cutler in Support of Facebook's Motion for Partial
14 Summary Judgment on Count 1 of the CAN-SPAM Act. *See* Dkt No. 167. For the reasons set
15 forth therein, to the extent Facebook, in its corrected moving papers, quotes from or derives
16 information from portions of either the McGeehan and Cutler Declarations that have been
17 designated as "HIGHLY-CONFIDENTIAL-ATTORNEY' EYES ONLY," it respectfully
18 requests that those portions of Facebook's Corrected Motion for Partial Summary Judgment on
19 Count 1 of the CAN-SPAM Act be sealed.

20 I declare under penalty of perjury under the laws of the United States that the foregoing is
21 true and correct.

22 Executed this 18th day of November, 2011 at Menlo Park, California.

23
24 /s/ Morvarid Metanat
25 **MORVARID METANAT**